

AMENDED IN ASSEMBLY MARCH 31, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 665

Introduced by Assembly Member Torrico

February 25, 2009

An act to amend Section 16131.5 of the Welfare and Institutions Code, relating to children, *and making an appropriation therefor*.

LEGISLATIVE COUNSEL'S DIGEST

AB 665, as amended, Torrico. State adoption services: investment.

Existing law provides for child welfare services, which are public social services directed toward, among other purposes, protecting and promoting the welfare of all children, including those in foster care placement.

Under existing law, the State Department of Social Services may provide state adoption services in a county that has not established a county adoption agency. Existing law requires the state to reinvest incentive payments, received through the implementation of specified provisions of federal law, ~~for placement of older children~~ into the child welfare system, in order to provide adoption services for older children.

~~This bill would make a technical, nonsubstantive change to these provisions.~~

This bill would, instead, require the state to reinvest these incentive payments into the child welfare system, in order to provide legal permanency outcomes for older children, as specified.

This bill would continuously appropriate the amount of the incentive payments to the State Department of Social Services for allocation to counties, and the department for a county in which the department serves as an adoption agency, based on documented legal permanency

outcomes for older children in each county for the purpose of improving legal permanency outcomes for older children, as specified.

Vote: majority. Appropriation: ~~no~~ yes. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 16131.5 of the Welfare and Institutions
2 Code is amended to read:

3 16131.5. (a) The state shall reinvest incentive payments
4 received through the implementation of the federal ~~Adoption~~
5 ~~Promotion Act of 2003 (Public Law 108-145)~~ *Fostering*
6 *Connections to Success and Increasing Adoptions Act of 2008*
7 *(Public Law 110-351)* for placement of older children, as defined
8 in that act, into the child welfare system, in order to provide
9 ~~adoption services for older children. Nothing~~ *legal permanency*
10 *outcomes for children, including, but not limited to, adoption,*
11 *guardianship, and reunification of children whose reunification*
12 *services were previously terminated.*

13 (b) *Notwithstanding Section 13340 of the Government Code,*
14 *the amount of incentive payments received pursuant to subdivision*
15 *(a) are hereby continuously appropriated without regard to the*
16 *fiscal year to the State Department of Social Services for allocation*
17 *to the counties, and the department for a county in which the*
18 *department serves as an adoption agency, based on documented*
19 *legal permanency outcomes for older children in each county, for*
20 *the purposes specified in this section.*

21 (c) *A county, or the department when it acts as the adoption*
22 *agency for a county, shall use incentive payment funds to improve*
23 *legal permanency outcomes for older children. A county shall*
24 *reinvest savings that result from successful legal permanency*
25 *outcome efforts for older children into activities that improve legal*
26 *permanency outcomes for older children.*

27 (d) *Nothing in this section shall be construed to supplant funds*
28 *currently being spent on programs to provide* ~~adoption services~~
29 *legal permanency outcomes.*